

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

PETsMART, INC., a Delaware
Corporation, in its capacity as fiduciary of
the PETsMART Flexible Benefits Plan,

Plaintiff,

v.

JANET M. DAVIDSON,
MICHAEL D. BEDNASH, ESQUIRE, and
KIMMEL CARTER ROMAN & PELTZ,
P.A., a Delaware Corporation,

Defendants.

Civil Action No. 1:07-cv-628-***

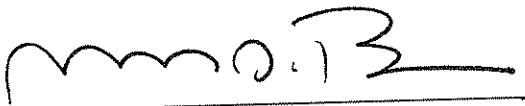
JURY TRIAL DEMANDED

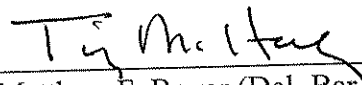
STIPULATION OF DISMISSAL WITH PREJUDICE

Plaintiff PETsMART, Inc. and Defendants Janet M. Davidson, Michael. D. Bednash, Esquire,
and Kimmell Carter Roman & Peltz, P.A., by their undersigned counsel, pursuant to Federal Rule of
Civil Procedure Rule 41(a)(1)(A)(ii), hereby stipulate to the dismissal of this action, in its entirety,
WITH PREJUDICE.

KIMMEL CARTER ROMAN & PELTZ, P.A.

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Date: February 26, 2008
CBLH: 562755.4